

AMENDED IN SENATE AUGUST 25, 1997

AMENDED IN ASSEMBLY JULY 24, 1997

AMENDED IN ASSEMBLY JULY 14, 1997

AMENDED IN ASSEMBLY JUNE 30, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1418

Introduced by Assembly Member Aroner
(Principal coauthor: Senator Lee)

February 28, 1997

An act relating to school facilities, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1418, as amended, Aroner. School facilities.

Existing law permits school districts to apply to the State Allocation Board for state bond funds to fund school construction projects, and specifies criteria for prioritizing the funding of projects, which criteria includes consideration of hardships, as specified.

This bill would require the State Allocation Board to consider the application of the Albany Unified School District for a project that meets specified purposes, as an emergency or critical hardship project, and would make related legislative findings and declarations.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Notwithstanding any other provision of
2 law, the State Allocation Board shall consider the
3 application of the Albany Unified School District for a
4 project to construct a new main building and gymnasium
5 for the Albany High School as an emergency or critical
6 hardship project.

7 SEC. 2. The Legislature finds and declares with
8 respect to Section 1 of this act that a special law is
9 necessary and that a general law cannot be made
10 applicable within the meaning of Section 16 of Article IV
11 of the California Constitution because of the uniquely
12 unsafe conditions of the Albany High School in the Albany
13 Unified School District. The facts constituting the special
14 circumstances are as follows:

15 (a) The main building and gymnasium of the Albany
16 High School do not meet adequate seismic safety
17 standards and have been determined unsafe for use by
18 the district.

19 (b) The architect and structural engineer for the
20 Albany Unified School District have identified serious
21 structural deficiencies in the ability of the main building
22 and gymnasium of the Albany High School to safely resist
23 the forces of an earthquake of such magnitude that may
24 be expected in this area.

25 (c) *Few, if any, other schoolsites in the state have the*
26 *significant combination of risk factors which put the life*
27 *and safety of school students and staff of Albany High*
28 *School in maximum jeopardy. The factors which make*
29 *Albany High School a unique and compelling hardship*
30 *case are as follows:*

31 (1) *The building is one of a few three-story nonductile*
32 *concrete structures in California. It was constructed in*
33 *four separate phases which lack adequate ties to make the*
34 *separate pieces behave as one building. The different*



1 portions of the building will not vibrate the same way,
2 inducing large “pounding” forces between the portions.

3 (2) The four phases of the building were constructed
4 in 1933 under the regulations adopted pursuant to the
5 earliest Field Act. In 1941, Field Act provisions were
6 increased to require buildings to be designed for two and
7 one-half times more force than in 1933. This small time
8 window (1933–1941) places Albany High School in a small
9 group of existing schools designed and approved for the
10 lowest force levels ever required under the Field Act.

11 (3) The site is located approximately 1.4 kilometers
12 from the Hayward Fault. There is a 28 percent probability
13 of a magnitude 7 earthquake occurring on this fault
14 segment by the year 2020.

15 (4) The 1997 Uniform Building Code provisions place
16 the Albany High School site in the proximity zone with
17 the strongest shaking potential adjacent to a fault with the
18 highest activity rating. When the new regulations are
19 promulgated, it is anticipated that the required design
20 force level for a new school constructed on the Albany
21 High School site will be nearly 10 times the level that was
22 required when the current building was approved. This
23 places Albany High School in a small group of schools that
24 will be subjected to the most violent shaking while being
25 designed for the lowest force level.

26 SEC. 3. This act is an urgency statute necessary for the
27 immediate preservation of the public peace, health, or
28 safety within the meaning of Article IV of the
29 Constitution and shall go into immediate effect. The facts
30 constituting the necessity are:

31 In order to replace the structurally unsafe main
32 building and gymnasium of the Albany High School at the
33 earliest opportunity, it is necessary for this act to take
34 effect immediately.

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